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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/711,669	09/30/2004	Chien-Wu Yen	14146-US-PA	5668
31561 7590 01/08/2007 JIANQ CHYUN INTELLECTUAL PROPERTY OFFICE 7 FLOOR-1, NO. 100 ROOSEVELT ROAD, SECTION 2 TAIPEI, 100 TAIWAN			EXAMINER SEVER, ANDREW T	
			ART UNIT 2851	PAPER NUMBER
SHORTENED STATUTORY PERIOD OF RESPONSE			MAIL DATE	DELIVERY MODE
3 MONTHS			01/08/2007	PAPER

**Please find below and/or attached an Office communication concerning this application or proceeding.**

If NO period for reply is specified above, the maximum statutory period will apply and will expire 6 MONTHS from the mailing date of this communication.

## Office Action Summary

Application No.

10/711,669

Applicant(s)

YEN ET AL.

Examiner

Andrew T. Sever

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 20 October 2006.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1,5-8 and 12-14 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1,5-8 and 12-14 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 06 July 2004 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
  - ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)          | 4) <input type="checkbox"/> Interview Summary (PTO-413)           |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____                                      |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)          | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date _____  | 6) <input type="checkbox"/> Other: _____                          |

## DETAILED ACTION

### *Claim Objections*

1. Claim 12 is objected to because of the following informalities: it is dependent on a canceled claim. Appropriate correction is required.

Currently claim 12 is dependent on claim 10 which has been canceled it appears it should be dependent on claim 8 instead. Appropriate correction is required.

### *Claim Rejections - 35 USC § 102*

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

3. Claims 1, 5, 6 are rejected under 35 U.S.C. 102(e) as being anticipated by Yasuda (US 2004/0239887.)

Yasuda teaches a method in paragraphs 29-35 for managing a lamp brightness, suitable for use in a displaying apparatus using a lamp to produce an image, the method comprising:

Setting a selection item (the user switch described in paragraph 30) corresponding to a mode, the mode being one of a first mode (normal mode) and a second mode (standby mode), wherein a brightness of the lamp at the first mode is different from the brightness at the second mode (paragraph 30 describes that in the second mode that the image is either turned off, muted (projects black or blue) or reduced by other means and in paragraph 31 that during the standby mode the power used by the lamp is reduced which would inherently result in reduced brightness);

Searching a display signal, wherein the displaying apparatus is at one of a displaying state, a searching state, a non-signal state, and a video mute state, wherein the display signal exists when the displaying apparatus is at the displaying state (at least when it is doing its ordinary function of displaying an image it would be in a displaying state);

Setting the lamp to the first mode when the display signal exists and the selection item corresponds to the first mode (when the user set the switch in the normal mode the normal image is displayed based on the received signal);

Setting the lamp to the second mode when the display signal exists and the selection item corresponds to the second mode (Yasuda teaches that when the switch is switched to the second mode the selection item is put in the second mode without consideration of any other factors); and

Setting the lamp to the second mode when the display signal does not exist (Yasuda teaches that when the switch is switched to the second mode the selection item is put in the second mode without consideration of any other factors, so at least in the case

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where the switch is in the second mode when the display signal does not exist it would meet this limitation).

*With regards to applicants claim 5:*

Inherently the projector would not be in a displaying state (a no-signal state, searching state and video mute state are all states that are the opposite of a displaying state) when the display signal does not exist, since it is impossible to display that which does not exist.

*With regards to applicant's claim 6:*

As outlined in paragraph 30 of Yasuda; in the second mode the brightness of the lamp is either 0 (it is turned off) of muted (reduced).

### ***Claim Rejections - 35 USC § 103***

4. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

5. This application currently names joint inventors. In considering patentability of the claims under 35 U.S.C. 103(a), the examiner presumes that the subject matter of the various

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claims was commonly owned at the time any inventions covered therein were made absent any evidence to the contrary. Applicant is advised of the obligation under 37 CFR 1.56 to point out the inventor and invention dates of each claim that was not commonly owned at the time a later invention was made in order for the examiner to consider the applicability of 35 U.S.C. 103(c) and potential 35 U.S.C. 102(e), (f) or (g) prior art under 35 U.S.C. 103(a).

6. Claim 7 is rejected under 35 U.S.C. 103(a) as being unpatentable over Yasuda as applied to claim 6 above, and further in view of Shoji et al. (US 6,734,641 as cited in the previous office action.)

As described in more detail above Yasuda teaches among other things a method wherein the brightness of the lamp in the second mode is reduced. However Yasuda does not teach by how much the brightness of the lamp is reduced in the second mode. Shoji teaches in column 12 lines 18-48 that during an energy saving mode that driving a lamp at 80% is beneficial, as there is still enough brightness that a user can still see in a dark room (for example in a presentation in a dark room; a user is not liable to trip over things while stumbling for the room light during a video mute that is not triggered on purpose.) Accordingly it would have been obvious to one of ordinary skill in the art at the time the invention was made to drive the lamp of Yasuda at 80% during the second mode as taught by Shoji as this is sufficient light that a user can still see to do some functions while energy is conserved and lamp life is saved.

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7. Claims 8, 12, and 13 are rejected under 35 U.S.C. 103(a) as being unpatentable over Yasuda (US 2004/0239887) in view of Kim (US 5,616,988.)

Yasuda teaches a method in paragraphs 29-35 for managing a lamp brightness, suitable for use in a displaying apparatus using a lamp to produce an image, the method comprising:

Searching a display signal, wherein the displaying apparatus is at one of a displaying state, a searching state, a non-signal state, and a video mute state, wherein the display signal exists when the displaying apparatus is at the displaying state (at least when it is doing its ordinary function of displaying an image it would be in a displaying state);

Setting the lamp in either a first mode or a second mode wherein the brightness of the lamp at the first mode is different from the brightness at the second mode. (See paragraph 30 which describes two modes a first mode: normal mode and a second mode: standby mode; during the second mode (Standby mode) the projected image is either turned off or muted, both of which are examples where the brightness of the lamp at the second mode is different from that at the first mode.)

Yasuda does not specifically teach that the first and second modes are specifically set when the display signal does or does not exist respectively. Kim teaches column 1 lines 17-24 that it is well known in the display arts that when no input signal is received for a period of time to place the display in a second mode wherein the brightness (power-level) of the lamp or display is reduced. In the same paragraph Kim teaches that this is done in



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order to save electrical power. Accordingly it would have been obvious to one of ordinary skill in the art at the time the invention was made to switch the display of Yasuda into the second mode when no display signal exists as this would reduce power consumption making the display apparatus more economical to use and better for the environment.

*With regards to applicant's claim 12 assuming it is dependent on claim 8:*

Clearly when no display signal exists it would not be at a displaying state since as taught by Kim it is not economical to have the display device in a displaying state when no display signal exists and accordingly it would be in a no-signal state.

*With regards to applicant's claim 13:*

As outlined in paragraph 30 of Yasuda; in the second mode the brightness of the lamp is either 0 (it is turned off) or muted (reduced).

8. Claim 14 is rejected under 35 U.S.C. 103(a) as being unpatentable over Yasuda in view of Kim as applied to claim 13 above, and further in view of Shoji et al. (US 6,734,641 as cited in the previous office action.)

As described in more detail above Yasuda in view of Kim teaches among other things a method wherein the brightness of the lamp in the second mode is reduced. However Yasuda in view of Kim does not teach by how much the brightness of the lamp is reduced



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in the second mode. Shoji teaches in column 12 lines 18-48 that during an energy saving mode that driving a lamp at 80% is beneficial, as there is still enough brightness that a user can still see in a dark room (for example in a presentation in a dark room; a user is not liable to trip over things while stumbling for the room light during a video mute that is not triggered on purpose.) Accordingly it would have been obvious to one of ordinary skill in the art at the time the invention was made to drive the lamp of Yasuda in view of Kim at 80% during the second mode as taught by Shoji as this is sufficient light that a user can still see to do some functions while energy is conserved and lamp life is saved.

### *Response to Arguments*

9. Applicant's arguments with respect to claims 1, 5-8, 12-14 have been considered but are moot in view of the new ground(s) of rejection.

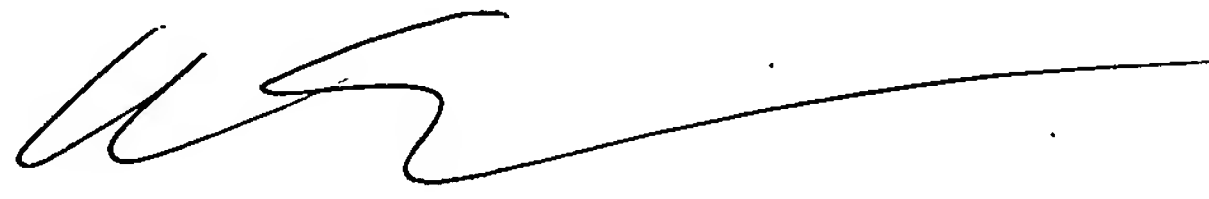
Any inquiry concerning this communication or earlier communications from the examiner should be directed to Andrew T. Sever whose telephone number is 571-272-2128. The examiner can normally be reached on 8:30-5:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Diane Lee can be reached on (571) 272-2399. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

AS

  
Andrew Seve